

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ANTHONY L. BREEDLOVE, 03-B-3102,

Petitioner,

-v-

SUPT. BERBARY,

Respondent.

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-PS-

DECISION AND ORDER  
09-CV-6297L

Petitioner has submitted a petition to the Court and seeks permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. In order for the Court to grant the request, it needs sufficient information on which to base its determination.

Here, the documentation petitioner has submitted is inadequate to permit the Court to evaluate the request, because petitioner has neglected to have prison officials complete the required prison certification section of the application form, without which the Court cannot grant the request and put the case forward. Because this section of the application form must be completed and signed by a prison official, petitioner may have until **July 23, 2009** to submit a supplementary application which includes a completed prison certification section.

The Clerk of the Court is directed to send petitioner a new form application to proceed as a poor person.

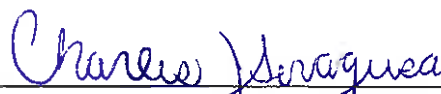
By **July 23, 2009**, petitioner must either submit the supplemental application form with a completed and signed prison certification or pay the full filing fee of \$5.00. Petitioner is forewarned that failure to comply with this order by either submitting the

supplemental application with a signed certification section or paying the filing fee by the designated date will result in the dismissal of this case without prejudice.

If petitioner has not complied with this order by **July 23, 2009**, the Clerk of the Court is directed to close this case as dismissed without prejudice without further order.

SO ORDERED.

Dated: JUNE 19, 2009  
Rochester, New York

  
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CHARLES J. SIRAGUSA  
United States District Judge